

REMARKS/ARGUMENTS

Applicant has reviewed and considered the Office Action dated March 2, 2006 and the references cited therein. In response thereto, claims 1, 3, 6-9, 17, 19, 22, 24, 27-30, and 38 are amended. Claims 1-39 are pending in the present application.

Rejection under 35 U.S.C. §102

Claims 1, 3, 22 and 24 were rejected under 35 U.S.C. § 102(a) as being anticipated by the 2000 Texas State Vehicle Fleet Management Plan from the Office of Vehicle Fleet Management. Applicant respectfully traverses the rejection for at least the following reasons.

Claim 1 is amended to recite a method of forming a customized consultative proposal comprising: generating a series of questions; receiving responses to the series of questions; calculating terms for portions of the consultative proposal based upon the responses received; combining the terms for portions of the consultative proposal with static information to form a completed customized consultative proposal; and presenting the customized consultative proposal.

Applicant respectfully submits that claim 1 now explicitly recites the feature of creating a customized consultative proposal. Since such feature was implicitly recited in claim 1, Applicant respectfully submits that no new issue is raised in this amendment.

Plan discloses a vehicle fleet management plan. More specifically, Plan discloses data collection and agency reporting requirements in which Office of Vehicle Fleet Management (OVFM) developed a list of fleet data reporting requirements to assist agencies and institutions in making accurate fleet management decisions and meeting requirements of the Texas Administrative Code (see page 12 and Appendix A). Plan fails to disclose or teach a method of forming a customized consultative proposal by generating a series of questions, receiving responses to the series of questions, calculating terms for portions of the consultative proposal based on the responses received, combining the terms for portions of the consultative proposal with static information to form a complete customized consultative proposal, and presenting the customized consultative proposal, as recited in claim 1. Not only Plan does not disclose or teach a method of forming a customized consultative proposal based on a series of questions/answers

to/from a customer, integrated with static information to form a completed customized consultative proposal, but also Plan **teaches away** from the claimed invention by developing a list of fleet data reporting requirements for agencies to follow and submit a report therefrom. As described on page 12 of Plan, “OVFM will develop a **standardized** vehicle reporting log for agency use. Agencies and institutions that wish to use forms other than the standardized vehicle reporting log must submit a written request and copies of the proposed vehicle log to OVFM. The chief operating officer of an agency or institution unable to meet the reporting requirement will explain why it is unable to do so to the CCG and OVFM prior to the reporting deadline” (see page 12, the third and fourth paragraphs from the bottom). Accordingly, nowhere in Plan does it disclose or teach a customized consultative proposal based on a series of questions/answers to/from a customer, integrated with static information to form a completed customized consultative proposal, as recited in claim 1. Thus, Applicant respectfully requests that claim 1 patentably distinguishes from Plan.

The remaining claims are either dependent from claim 1 or amended to recite the similar features discussed above and thus are patentable over Plan.

Rejection under 35 U.S.C. § 103

Claims 2, 4-21, 23 and 25-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the 2000 Texas State Vehicle Fleet Management Plan.

Applicant respectfully submits that claims 2, 4-21, 23, and 25-39 are either dependent claims from claim 1 or amended to recite the similar features discussed above, and therefore are patentable over Plan. In addition, Plan does not disclose or teach the other features, such as electronically generating and presenting the customized consultative proposal to the user in real time, as recited in claims 17 and 38. As discussed above, Plan teaches away from these features as it states, “Agencies and institutions that wish to use forms other than the **standardized** vehicle reporting log must submit a written request and copies of the proposed vehicle log to OVFM. The chief operating officer of an agency or institution unable to meet the reporting requirement will explain why it is unable to do so to the CCG and OVFM prior to the reporting deadline” (see page 12, the third and fourth paragraphs from the bottom). Thus, Applicant respectfully submits that claims 2, 4-21, 23, and 25-39 are patentable over Plan.

Conclusion

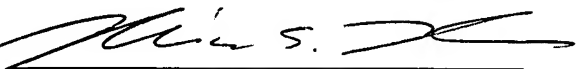
In view of the above, it is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application and a favorable response are respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-752-7367.

Respectfully submitted,

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